

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59338 of 2025

Arising Out of PS. Case No.-43 Year-2025 Thana- CHEWARA District- Sheikhpura

Prakash Kumar S/O Late Nageshwar Giri R/O Village- Vastacola Goshala
More Chauhan Tola, P.S.- Jhariya, District- Dhanbad (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar
For the Opposite Party/s : Mr.Sanjay Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 13-01-2026 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. In this case, the petitioner is seeking regular bail in connection with Chewara P.S. Case No. 43 of 2025, registered for the offences punishable under Sections 238, 318(4), 3(5) of BNS, 2023 and 30(a), 32, 41(1) of Bihar Prohibition & Excise Act, 2018.

3. As per allegation, 3852.6452 liters of foreign liquor were recovered from Indian Oil Tank Lorry, to which the petitioner is owner.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated. He is a person of clean antecedent. The driver and



cleaner of the truck where from illicit liquor was recovered, have been granted bail. The petitioner is not named in the FIR. The driver and cleaner, who were arrested, have disclosed that a person namely Anand had called the driver and on his command, he took the tank lorry.

5. On the other hand, the learned APP for the State has opposed the prayer for bail.

6. The petitioner is not named in the FIR. He is a person of clean antecedent and is under custody since 11.07.2025.

7. Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Special Excise Court, Sheikhpura in connection with Chewara P.S. Case No. 43 of 2025, subject to the condition that the petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

kundan/-

U		T	
---	--	---	--

